

11P03761

Docket No.: 50069-110

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
Kenichi TABATA, et al.	:	Confirmation Number: 1960
Application No.: 10/030,249	:	Group Art Unit: 3761
Filed: June 28, 2002	:	Examiner: Karin M. Reichle
For: DISPOSABLE ABSORBENT ARTICLE	:	

SUBMISSION OF MARKED UP VERSION OF SUBSTITUTE SPECIFICATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a marked up version of the Substitute Specification filed October 26, 2004, in response to the Office Action dated January 5, 2005. Applicants submit that this marked up version of the Substitute Specification fully compiles with the requirements of 37 CFR 1.121.

In the Notice of Non-Compliant Amendment dated January 5, 2005, the Examiner stated as follows: "It is further noted that text is shown between single brackets throughout the specification. Such language is not considered deleted. Such language would be less confusing however if the brackets were deleted and replaced with, e.g., underlining." Applicants understand that the single brackets pointed out by the Examiner are those in paragraphs 20, 29, 39, 49, 89, 108, 110, 137, 161 and 168 in the attached markup version of the Substitute Specification. In response, it is submitted that those single brackets are included in the original specification at the time of filing, and mean neither deletion nor addition. It is apparent from the original specification that those single brackets simply indicate that phrases in those brackets are sub-headers.

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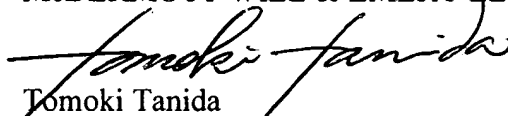
It is also noted that although headers in the Substitute Specification, such as "Field of the Invention," "Background Art," "Summary of the Invention," "Brief Description of the Drawings," and "Best Mode for carrying out the Invention," are underlined, corresponding headers in the marked up version are not underlined to avoid confusion that they were newly added to the Substitute Specification. Those headers were included in the originally specification, but the underlines were added to the Substitute Specification.

It is further noted that line numbering in the original specification is omitted, and amendments made by the January 9, 2002 Preliminary Amendment (see paragraphs [103], [109] and [172]) are not highlighted, in the marked up version of the Substitute Specification.

If there are any outstanding issues in the marked up version of the Substitute Specification, Examiner is respectfully requested to call Applicants' attorney at the telephone number shown below.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


Tomoki Tanida
Recognition under 37 C.F.R. 10.9(b)

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**Please recognize our Customer No. 20277
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